

UNITED STATES DISTRICT COURT

WESTERN

DISTRICT OF

PENNSYLVANIA

ANDRE JACOBS,

V.

THOMAS MCCONNELL; CAROL SCIRE

GREGORY GIDDENS; ALLEN LYNCH;

ROBERT BITTNER; CAPTAIN J. SIMPSON;

KRISTIN P. RESSING; MICHAEL FERSON; SHELLY

SHELLY MANKEY; WILLIAM STICKMAN;

FRANK CHERICO; DAVID MCCOY; JEFFREYBEARD

JUDGMENT IN A CIVIL CASE

Case Number: 04-1366

☒ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☐ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

With respect to plaintiff's access to courts claim, the jury finds for defendants Carol Scire, Allen Lynch, Robert Bittner, Captain J. Simpson, Kristin P. Rissing, Michael Ferson, Shelly Mankey, William Stickman, Frank Cherico, David McCoy, and Jeffrey Beard. With respect to plaintiff's access to courts claim, the court grants judgment as a matter of law for defendants Thomas McConnell and Gregory Giddens.

With respect to plaintiff's conspiracy claim, the jury finds for defendants Allen Lynch, Robert Bittner, Captain J. Simpson, Kristin P. Rissing, Michael Ferson, Shelly Mankey, William Stickman, Frank Cherico, David McCoy, and Jeffrey Beard, and finds against defendant Gregory Giddens and awards \$ 20,000 (\$10,000 for mental harm and \$10,000 for property damage) in compensatory damages and \$10,000 in punitive damages. With respect to plaintiff's conspiracy claim, the court grants judgment as a matter of law for defendants Thomas McConnell and Carol Scire.

With respect to plaintiff's retaliation claim, the jury finds for defendants Allen Lynch, Robert Bittner, Captain J. Simpson, Kristin P. Rissing, Michael Ferson, Shelly Mankey, William Stickman, Frank Cherico, David McCoy, and Jeffrey Beard, and finds against defendants Thomas McConnell and awards \$ 10,000 (\$5,000 for mental harm and \$5,000 for property damage) in compensatory damages and \$5,000 in punitive damages; Carol Scire and awards \$5,000 (mental harm) in compensatory damages and \$5,000 in punitive damages; Gregory Giddens and awards \$ 20,000 (\$10,000 for mental harm and \$10,000 for property damage) in compensatory damages and \$10,000 in punitive damages..

With respect to plaintiff's defamation claim, the jury finds against defendant Gregory Giddens and awards \$20,000 (\$10,000 for mental anguish and humiliation and \$10,000 for harm to reputation) in compensatory damages and \$10,000 in punitive damages.

JUDGMENT SO ORDERED AND TO BE ENTERED IN ACCORDANCE WITH THE  
VERDICT RENDERED BY THE JURY AND THE DECISION OF THIS COURT TO  
GRANT JUDGMENT AS A MATTER OF LAW WITH RESPECT TO CERTAIN CLAIMS.

/S/ Joy Flowers Conti

JOY FLOWERS CONTI, U.S. DISTRICT JUDGE

September 22, 2009

Date

ROBERT V. BARTH, JR., CLERK OF COURT

Clerk

/s/ Sharon M. Conley

(By) Deputy Clerk